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09/898,019	07/05/2001	Seong-Soo Ahn	IK-022	9281

7590 01/14/2003

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EXAMINER

LEUNG, PHILIP H

ART UNIT

PAPER NUMBER

3742

DATE MAILED: 01/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/898,019

Applicant(s)

AHN

Examiner

Philip H. Leung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on Oct 30, 2002.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) Claim(s) 6-19 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 6-19 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on Oct 30, 2002 is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892)

4) Interview Summary (PTO-413) Paper No(s). _____

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

6) Other: _____

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DETAILED ACTION

1. The specification is objected to because it does not include sufficient description on the claimed limitations "the exhaust hood air flow path and the cooling air flow path are separate" at lines 10-11 of claim 6 and "the cooling air flow path is separate from the exhaust air flow path" at lines 6-7 of claim 12. There is no clear description that the two paths are separate. Correction is required but no new matter can be introduced.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 6-19** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Yoshimura et al* (US 4,314,126) (reference A of the previous Office action) or *Jailor et al* (US 4,418,261) (newly cited), in view of *White et al* (US 4,327,274) (newly cited).

Yoshimura or *Jailor* discloses the claimed invention except for the exhaust air flow path being separate from the cooling air flow path. *White* shows that it is well known in the art of microwave oven combined with a hood structure for venting a cooking range below the microwave oven to separate the air path 54 for cooling the electric components from the exhaust air path 48 from the cooking range through the hood structure of the microwave oven (see Figure

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3 and col. 5, line 59 - col. 7, line 68). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify *Yoshimura* or *Jailor* to use two separate and distinct air flow paths for cooling the oven electrical components and for venting the exhaust fumes from a cooking range so that the range hood vent feature and the microwave vent feature can be used independently or concurrently as desired, in view of the teaching of *White* (see the abstract and col. 7, lines 58-68).

4. **Claims 12-19** are further rejected under 35 U.S.C. 103(a) as being unpatentable over *White et al* (US 4,327,274), in view of *Jailor et al* (US 4,418,261).

White shows that it is well known in the art of microwave oven combined with a hood structure for venting a cooking range below the microwave oven to separate the air path 54 for cooling the electric components from the exhaust air path 48 from the cooking range through the hood structure of the microwave oven (see Figure 3 and col. 5, line 59 - col. 7, line 68). Thus, *White* discloses the claimed invention except that the ventilation motor is located under the oven chamber instead of above the chamber. *Jailor* shows that it is well known in the art of combined microwave and range ventilating hoods to place the ventilating blower motor 84 above the microwave oven chamber (see Figure 3 and col. 5, line 30 - col. 6, line 45). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify *White* to place the ventilating blower on top of the microwave oven for easy access to the ventilating blower chamber for servicing and/or reorientation of the blower, in view of the teaching of *Jailor* (see col. 6, lines 9-15).

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5. Applicant's arguments with respect to claims 6-19 have been considered but are moot in view of the new ground(s) of rejection.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning any communication from the examiner should be directed to Examiner Leung whose telephone number is (703) 308-1710. The examiner can normally be reached on Monday to Friday from 8:00 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teresa Walberg, can be reached on (703) 308-1327. The fax phone number for this Group is (703) 305-3463.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0861.



PHILIP H. LEUNG
PRIMARY EXAMINER
ART UNIT 3742

P.Leung/pl
1-9-03